

FIRST REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE BILL NO. 378
102ND GENERAL ASSEMBLY

0415H.05C

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 105.473, 105.963, 105.964, 130.011, 130.021, 130.034, 130.036, 130.041, 130.046, 130.056, and 347.163, RSMo, and to enact in lieu thereof eleven new sections relating to ethics, with penalty provisions.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 105.473, 105.963, 105.964, 130.011, 130.021, 130.034, 130.036,
2 130.041, 130.046, 130.056, and 347.163, RSMo, are repealed and eleven new sections
3 enacted in lieu thereof, to be known as sections 105.473, 105.963, 105.964, 130.011, 130.021,
4 130.034, 130.036, 130.041, 130.046, 130.056, and 347.163, to read as follows:

105.473. 1. Each lobbyist shall, not later than January fifth of each year or five days
2 after beginning any activities as a lobbyist, file standardized registration forms, verified by a
3 written declaration that it is made under the penalties of perjury, along with a filing fee of ten
4 dollars, with the commission. The forms shall include the lobbyist's name and business
5 address, the name and address of all persons such lobbyist employs for lobbying purposes, the
6 name and address of each lobbyist principal by whom such lobbyist is employed or in whose
7 interest such lobbyist appears or works. The commission shall maintain files on all lobbyists'
8 filings, which shall be open to the public. Each lobbyist shall file an updating statement
9 under oath within one week of any addition, deletion, or change in the lobbyist's employment
10 or representation. The filing fee shall be deposited to the general revenue fund of the state.
11 The lobbyist principal or a lobbyist employing another person for lobbying purposes may
12 notify the commission that a judicial, executive or legislative lobbyist is no longer authorized
13 to lobby for the principal or the lobbyist and should be removed from the commission's files.

EXPLANATION — Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

14 2. Each person shall, before giving testimony before any committee of the general
15 assembly, give to the secretary of such committee such person's name and address and the
16 identity of any lobbyist or organization, if any, on whose behalf such person appears. A
17 person who is not a lobbyist as defined in section 105.470 shall not be required to give such
18 person's address if the committee determines that the giving of such address would endanger
19 the person's physical health.

20 3. (1) During any period of time in which a lobbyist continues to act as an executive
21 lobbyist, judicial lobbyist, legislative lobbyist, or elected local government official lobbyist,
22 the lobbyist shall file with the commission on standardized forms prescribed by the
23 commission [~~monthly~~] reports which shall be due at the close of business on [~~the tenth day of~~
24 ~~the following month~~] **December thirty-first each year, or if December thirty-first is a**
25 **Saturday or Sunday, on the last Friday of the calendar year;**

26 (2) Each report filed pursuant to this subsection shall include a statement, verified by
27 a written declaration that it is made under the penalties of perjury, setting forth the following:

28 (a) The total of all expenditures by the lobbyist or his or her lobbyist principals made
29 on behalf of all public officials, their staffs and employees, and their spouses and dependent
30 children, which expenditures shall be separated into at least the following categories by the
31 executive branch, judicial branch and legislative branch of government: printing and
32 publication expenses; media and other advertising expenses; travel; the time, venue, and
33 nature of any entertainment; honoraria; meals, food and beverages; and gifts;

34 (b) The total of all expenditures by the lobbyist or his or her lobbyist principals made
35 on behalf of all elected local government officials, their staffs and employees, and their
36 spouses and children. Such expenditures shall be separated into at least the following
37 categories: printing and publication expenses; media and other advertising expenses; travel;
38 the time, venue, and nature of any entertainment; honoraria; meals; food and beverages; and
39 gifts;

40 (c) An itemized listing of the name of the recipient and the nature and amount of each
41 expenditure by the lobbyist or his or her lobbyist principal, including a service or anything of
42 value, for all expenditures made during any reporting period, paid or provided to or for a
43 public official or elected local government official, such official's staff, employees, spouse or
44 dependent children;

45 (d) The total of all expenditures made by a lobbyist or lobbyist principal for occasions
46 and the identity of the group invited, the date and description of the occasion and the amount
47 of the expenditure for each occasion when any of the following are invited in writing:

48 a. All members of the senate;

49 b. All members of the house of representatives;

50 c. All members of a joint committee of the general assembly or a standing committee
51 of either the house of representatives or senate; or

52 d. All members of a caucus of the majority party of the house of representatives,
53 minority party of the house of representatives, majority party of the senate, or minority party
54 of the senate;

55 (e) Any expenditure made on behalf of a public official, an elected local government
56 official or such official's staff, employees, spouse or dependent children, if such expenditure
57 is solicited by such official, the official's staff, employees, or spouse or dependent children,
58 from the lobbyist or his or her lobbyist principals and the name of such person or persons,
59 except any expenditures made to any not-for-profit corporation, charitable, fraternal or civic
60 organization or other association formed to provide for good in the order of benevolence;

61 (f) A statement detailing any direct business relationship or association or partnership
62 the lobbyist has with any public official or elected local government official. The reports
63 required by this subdivision shall cover the time periods since the filing of the last report or
64 since the lobbyist's employment or representation began, whichever is most recent.

65 4. No expenditure reported pursuant to this section shall include any amount
66 expended by a lobbyist or lobbyist principal on himself or herself. All expenditures disclosed
67 pursuant to this section shall be valued on the report at the actual amount of the payment
68 made, or the charge, expense, cost, or obligation, debt or bill incurred by the lobbyist or the
69 person the lobbyist represents. Whenever a lobbyist principal employs more than one
70 lobbyist, expenditures of the lobbyist principal shall not be reported by each lobbyist, but
71 shall be reported by one of such lobbyists. No expenditure shall be made on behalf of a state
72 senator or state representative, or such public official's staff, employees, spouse, or dependent
73 children for travel or lodging outside the state of Missouri unless such travel or lodging was
74 approved prior to the date of the expenditure by the administration and accounts committee of
75 the house or the administration committee of the senate.

76 5. Any lobbyist principal shall provide in a timely fashion whatever information is
77 reasonably requested by the lobbyist principal's lobbyist for use in filing the reports required
78 by this section.

79 6. All information required to be filed pursuant to the provisions of this section with
80 the commission shall be kept available by the executive director of the commission at all
81 times open to the public for inspection and copying for a reasonable fee for a period of five
82 years from the date when such information was filed.

83 7. No person shall knowingly employ any person who is required to register as a
84 registered lobbyist but is not registered pursuant to this section. Any person who knowingly
85 violates this subsection shall be subject to a civil penalty in an amount of not more than ten

86 thousand dollars for each violation. Such civil penalties shall be collected by action filed by
87 the commission.

88 8. No lobbyist shall knowingly omit, conceal, or falsify in any manner information
89 required pursuant to this section.

90 9. The prosecuting attorney of Cole County shall be reimbursed only out of funds
91 specifically appropriated by the general assembly for investigations and prosecutions for
92 violations of this section.

93 10. Any public official or other person whose name appears in any lobbyist report
94 filed pursuant to this section who contests the accuracy of the portion of the report applicable
95 to such person may petition the commission for an audit of such report and shall state in
96 writing in such petition the specific disagreement with the contents of such report. The
97 commission shall investigate such allegations in the manner described in section 105.959. If
98 the commission determines that the contents of such report are incorrect, incomplete or
99 erroneous, it shall enter an order requiring filing of an amended or corrected report.

100 11. The commission shall provide a report listing the total spent by a lobbyist for the
101 month and year to any member or member-elect of the general assembly, judge or judicial
102 officer, or any other person holding an elective office of state government or any elected local
103 government official on or before the twentieth day of each month. For the purpose of
104 providing accurate information to the public, the commission shall not publish information in
105 either written or electronic form for ten working days after providing the report pursuant to
106 this subsection. The commission shall not release any portion of the lobbyist report if the
107 accuracy of the report has been questioned pursuant to subsection 10 of this section unless it
108 is conspicuously marked "Under Review".

109 12. Each lobbyist or lobbyist principal by whom the lobbyist was employed, or in
110 whose behalf the lobbyist acted, shall provide a general description of the proposed
111 legislation or action by the executive branch or judicial branch which the lobbyist or lobbyist
112 principal supported or opposed. This information shall be supplied to the commission on
113 March fifteenth and May thirtieth of each year.

114 13. The provisions of this section shall supersede any contradicting ordinances or
115 charter provisions.

105.963. 1. The executive director shall assess every committee, as defined in section
2 130.011, failing to file with a filing officer other than a local election authority as provided by
3 section 130.026 a campaign disclosure report as required by chapter 130, [~~other than the~~
4 ~~report required pursuant to subdivision (1) of subsection 1 of section 130.046,~~] a late filing
5 fee of [~~ten~~] **twenty** dollars for each day after such report is due to the commission, **unless**
6 **subsection 2 of this section applies**. The executive director shall [~~mail~~] **send** a notice[~~, by~~
7 ~~registered mail,~~] to any candidate and the treasurer of any committee who fails to file such

8 report informing such person of such failure and the fees provided by this section. If the
9 candidate or treasurer of any committee persists in such failure for a period in excess of thirty
10 days beyond receipt of such notice, the amount of the late filing fee shall increase to one
11 hundred dollars for each day that the report is not filed, provided that the total amount of such
12 fees assessed pursuant to this subsection per report shall not exceed three thousand dollars.

13 2. (1) Any ~~candidate for state or local office who~~ **committee that** fails to file a
14 campaign disclosure report required pursuant to subdivision (1) of subsection 1 of section
15 130.046 **or pursuant to subdivision (1) of subsection 3 of section 130.046**, other than a
16 report required to be filed with a local election authority as provided by section 130.026, shall
17 be assessed by the executive director a late filing fee of one hundred dollars for each day that
18 the report is not filed, until the first day after the date of the election. After such election date,
19 the amount of such late filing fee shall accrue at the rate of ten dollars per day that such report
20 remains unfiled, except as provided in subdivision (2) of this subsection.

21 (2) The executive director shall ~~mail~~ **send** a notice ~~[, by certified mail or other means~~
22 ~~to give actual notice,]~~ to any candidate ~~who~~ **and the treasurer of any committee that** fails
23 to file the report described in subdivision (1) of this subsection informing such person of such
24 failure and the fees provided by this section. If the ~~candidate~~ **committee** persists in such
25 failure for a period in excess of thirty days beyond receipt of such notice, the amount of the
26 late filing fee shall increase to one hundred dollars for each day that the report is not filed,
27 provided that the total amount of such fees assessed pursuant to this subsection per report
28 shall not exceed six thousand dollars.

29 3. The executive director shall assess every person required to file a financial interest
30 statement pursuant to sections 105.483 to 105.492 failing to file such a financial interest
31 statement with the commission a late filing fee of ten dollars for each day after such statement
32 is due to the commission. The executive director shall ~~mail~~ **send** a notice ~~[, by certified~~
33 ~~mail,]~~ to any person who fails to file such statement informing the individual required to file
34 of such failure and the fees provided by this section. If the person persists in such failure for a
35 period in excess of thirty days beyond receipt of such notice, the amount of the late filing fee
36 shall increase to one hundred dollars for each day thereafter that the statement is late,
37 provided that the total amount of such fees assessed pursuant to this subsection per statement
38 shall not exceed six thousand dollars.

39 4. Any person assessed a late filing fee may seek review of such assessment or the
40 amount of late filing fees assessed, at the person's option, by filing a petition within fourteen
41 days after receiving ~~actual~~ notice of assessment with the administrative hearing
42 commission, or without exhausting the person's administrative remedies may seek review
43 of such issues with the circuit court of Cole County.

44 5. The executive director of the Missouri ethics commission shall collect such late
45 filing fees as are provided for in this section. Unpaid late filing fees shall be collected by
46 action filed by the commission. The commission shall contract with the appropriate entity to
47 collect such late filing fees after a thirty-day delinquency. If not collected within one hundred
48 twenty days, the Missouri ethics commission shall file a petition in Cole County circuit court
49 to seek a judgment on said fees. All late filing fees collected pursuant to this section shall be
50 transmitted to the state treasurer and deposited to the general revenue fund.

51 6. The late filing fees provided by this section shall be in addition to any penalty
52 provided by law for violations of sections 105.483 to 105.492 or chapter 130.

53 7. **The late filing fees and corresponding cumulative late filing fee limits**
54 **described in subsections 1 and 2 of this section shall be increased as provided in this**
55 **subsection. On January 1, 2025, and on January first of successive years, the executive**
56 **director of the commission shall measure the increase in the cost of living by the**
57 **percentage increase as of the preceding July over the level as of July of the immediately**
58 **preceding year of the Consumer Price Index for Urban Wage Earners and Clerical**
59 **Workers (CPI-W) or successor index as published by the U.S. Department of Labor or**
60 **its successor agency. On January 1, 2025, the dollar amounts listed in this subsection**
61 **shall be increased by the percentage increase in the cost of living as measured in this**
62 **subsection, and this shall be known as the base amount. The base amount shall be the**
63 **dollar amount that is increased each year pursuant to this subsection. If in any given**
64 **year, the base amount has cumulatively increased by an increment of five dollars or**
65 **more from the original dollar amount listed in this subsection, the late filing fee shall be**
66 **increased by five dollars.**

67 8. If any candidate fails to file a campaign disclosure report in a timely manner and
68 that candidate is assessed a late filing fee, the candidate, candidate committee treasurer or
69 assistant treasurer may file an appeal of the assessment of the late filing fee with the
70 commission. The commission may forgive the assessment of the late filing fee upon a
71 showing of good cause. Such appeal shall be filed within ten days of the receipt of notice of
72 the assessment of the late filing fee.

105.964. 1. When the last day of filing any report, statement or other document
2 required to be filed with the commission pursuant to the provisions of this chapter or chapter
3 130 falls on a Saturday or Sunday or on an official state holiday, the deadline for filing is
4 extended to 5:00 p.m. on the next day which is not a Saturday or Sunday or official **state**
5 **holiday, unless the report, statement, or other document is filed with the commission**
6 **electronically, then the deadline shall be 11:59 p.m.**

7 2. The provisions of subsection 1 of this section shall not apply to any report or
8 disclosure required to be filed less than eight days prior to an election when such report or
9 disclosure contains information relating to such election.

10 3. The provisions of this section shall also apply to any report, statement or other
11 document required to be filed with an appropriate officer, other than the ethics commission, as
12 indicated pursuant to the provisions of section 130.026.

 130.011. As used in this chapter, unless the context clearly indicates otherwise, the
2 following terms mean:

3 (1) "Appropriate officer" or "appropriate officers", the person or persons designated
4 in section 130.026 to receive certain required statements and reports;

5 (2) "Ballot measure" or "measure", any proposal submitted or intended to be
6 submitted to qualified voters for their approval or rejection, including any proposal submitted
7 by initiative petition, referendum petition, or by the general assembly or any local
8 governmental body having authority to refer proposals to the voter;

9 (3) "Candidate", an individual who seeks nomination or election to public office. The
10 term "candidate" includes an elected officeholder who is the subject of a recall election, an
11 individual who seeks nomination by the individual's political party for election to public
12 office, an individual standing for retention in an election to an office to which the individual
13 was previously appointed, an individual who seeks nomination or election whether or not the
14 specific elective public office to be sought has been finally determined by such individual at
15 the time the individual meets the conditions described in paragraph (a) or (b) of this
16 subdivision, and an individual who is a write-in candidate as defined in subdivision (28) of
17 this section. A candidate shall be deemed to seek nomination or election when the person
18 first:

19 (a) Receives contributions or makes expenditures or reserves space or facilities with
20 intent to promote the person's candidacy for office; or

21 (b) Knows or has reason to know that contributions are being received or
22 expenditures are being made or space or facilities are being reserved with the intent to
23 promote the person's candidacy for office; except that, such individual shall not be deemed a
24 candidate if the person files a statement with the appropriate officer within five days after
25 learning of the receipt of contributions, the making of expenditures, or the reservation of
26 space or facilities disavowing the candidacy and stating that the person will not accept
27 nomination or take office if elected; provided that, if the election at which such individual is
28 supported as a candidate is to take place within five days after the person's learning of the
29 above-specified activities, the individual shall file the statement disavowing the candidacy
30 within one day; or

31 (c) Announces or files a declaration of candidacy for office;

32 (4) "Cash", currency, coin, United States postage stamps, or any negotiable
33 instrument which can be transferred from one person to another person without the signature
34 or endorsement of the transferor;

35 (5) "Check", a check drawn on a state or federal bank, or a draft on a negotiable order
36 of withdrawal account in a savings and loan association or a share draft account in a credit
37 union;

38 (6) "Closing date", the date through which a statement or report is required to be
39 complete;

40 (7) "Committee", a person or any combination of persons, who accepts contributions
41 or makes expenditures for the primary or incidental purpose of influencing or attempting to
42 influence the action of voters for or against the nomination or election to public office of one
43 or more candidates or the qualification, passage or defeat of any ballot measure or for the
44 purpose of paying a previously incurred campaign debt or obligation of a candidate or the
45 debts or obligations of a committee or for the purpose of contributing funds to another
46 committee:

47 (a) "Committee", does not include:

48 a. A person or combination of persons, if neither the aggregate of expenditures made
49 nor the aggregate of contributions received during a calendar year exceeds five hundred
50 dollars and if no single contributor has contributed more than two hundred fifty dollars of
51 such aggregate contributions;

52 b. An individual, other than a candidate, who accepts no contributions and who deals
53 only with the individual's own funds or property;

54 c. A corporation, cooperative association, partnership, proprietorship, or joint venture
55 organized or operated for a primary or principal purpose other than that of influencing or
56 attempting to influence the action of voters for or against the nomination or election to public
57 office of one or more candidates or the qualification, passage or defeat of any ballot measure,
58 and it accepts no contributions, and all expenditures it makes are from its own funds or
59 property obtained in the usual course of business or in any commercial or other transaction
60 and which are not contributions as defined by subdivision (12) of this section;

61 d. A labor organization organized or operated for a primary or principal purpose other
62 than that of influencing or attempting to influence the action of voters for or against the
63 nomination or election to public office of one or more candidates, or the qualification,
64 passage, or defeat of any ballot measure, and it accepts no contributions, and expenditures
65 made by the organization are from its own funds or property received from membership dues
66 or membership fees which were given or solicited for the purpose of supporting the normal
67 and usual activities and functions of the organization and which are not contributions as
68 defined by subdivision (12) of this section;

69 e. A person who acts as an authorized agent for a committee in soliciting or receiving
70 contributions or in making expenditures or incurring indebtedness on behalf of the committee
71 if such person renders to the committee treasurer or deputy treasurer or candidate, if
72 applicable, an accurate account of each receipt or other transaction in the detail required by
73 the treasurer to comply with all record-keeping and reporting requirements of this chapter;

74 f. Any department, agency, board, institution or other entity of the state or any of its
75 subdivisions or any officer or employee thereof, acting in the person's official capacity;

76 (b) The term "committee" includes, but is not limited to, each of the following
77 committees: campaign committee, candidate committee, continuing committee and political
78 party committee;

79 (8) "Campaign committee", a committee, other than a candidate committee, which
80 shall be formed by an individual or group of individuals to receive contributions or make
81 expenditures and whose sole purpose is to support or oppose the qualification and passage of
82 one or more particular ballot measures in an election or the retention of judges under the
83 nonpartisan court plan, such committee shall be formed no later than thirty days prior to the
84 election for which the committee receives contributions or makes expenditures, and which
85 shall terminate the later of either thirty days after the general election or upon the satisfaction
86 of all committee debt after the general election, except that no committee retiring debt shall
87 engage in any other activities in support of a measure for which the committee was formed;

88 (9) "Candidate committee", a committee which shall be formed by a candidate to
89 receive contributions or make expenditures in behalf of the person's candidacy and which
90 shall continue in existence for use by an elected candidate or which shall terminate the later of
91 either thirty days after the general election for a candidate who was not elected or upon the
92 satisfaction of all committee debt after the election, except that no committee retiring debt
93 shall engage in any other activities in support of the candidate for which the committee was
94 formed. Any candidate for elective office shall have only one candidate committee for the
95 elective office sought, which is controlled directly by the candidate for the purpose of making
96 expenditures. A candidate committee is presumed to be under the control and direction of the
97 candidate unless the candidate files an affidavit with the appropriate officer stating that the
98 committee is acting without control or direction on the candidate's part;

99 (10) "Continuing committee", a committee of continuing existence which is not
100 formed, controlled, or directed by a candidate **or elected officeholder that benefits from or**
101 **is the recipient of committee expenditures for the duration of such candidate's or**
102 **officeholder's candidacy or term of office**, and is a committee other than a candidate
103 committee or campaign committee, whose primary or incidental purpose is to receive
104 contributions or make expenditures to influence or attempt to influence the action of voters
105 whether or not a particular candidate or candidates or a particular ballot measure or measures

106 to be supported or opposed has been determined at the time the committee is required to file
107 any statement or report pursuant to the provisions of this chapter. "Continuing committee"
108 includes, but is not limited to, any committee organized or sponsored by a business entity, a
109 labor organization, a professional association, a trade or business association, a club or other
110 organization and whose primary purpose is to solicit, accept and use contributions from the
111 members, employees or stockholders of such entity and any individual or group of individuals
112 who accept and use contributions to influence or attempt to influence the action of voters.
113 Such committee shall be formed no later than sixty days prior to the election for which the
114 committee receives contributions or makes expenditures;

115 (11) "Connected organization", any organization such as a corporation, a labor
116 organization, a membership organization, a cooperative, or trade or professional association
117 which expends funds or provides services or facilities to establish, administer or maintain a
118 committee or to solicit contributions to a committee from its members, officers, directors,
119 employees or security holders. An organization shall be deemed to be the connected
120 organization if more than fifty percent of the persons making contributions to the committee
121 during the current calendar year are members, officers, directors, employees or security
122 holders of such organization or their spouses;

123 (12) "Contribution", a payment, gift, loan, advance, deposit, or donation of money or
124 anything of value for the purpose of supporting or opposing the nomination or election of any
125 candidate for public office or the qualification, passage or defeat of any ballot measure, or for
126 the support of any committee supporting or opposing candidates or ballot measures or for
127 paying debts or obligations of any candidate or committee previously incurred for the above
128 purposes. A contribution of anything of value shall be deemed to have a money value
129 equivalent to the fair market value. "Contribution" includes, but is not limited to:

130 (a) A candidate's own money or property used in support of the person's candidacy
131 other than expense of the candidate's food, lodging, travel, and payment of any fee necessary
132 to the filing for public office;

133 (b) Payment by any person, other than a candidate or committee, to compensate
134 another person for services rendered to that candidate or committee;

135 (c) Receipts from the sale of goods and services, including the sale of advertising
136 space in a brochure, booklet, program or pamphlet of a candidate or committee and the sale of
137 tickets or political merchandise;

138 (d) Receipts from fund-raising events including testimonial affairs;

139 (e) Any loan, guarantee of a loan, cancellation or forgiveness of a loan or debt or
140 other obligation by a third party, or payment of a loan or debt or other obligation by a third
141 party if the loan or debt or other obligation was contracted, used, or intended, in whole or in
142 part, for use in an election campaign or used or intended for the payment of such debts or

143 obligations of a candidate or committee previously incurred, or which was made or received
144 by a committee;

145 (f) Funds received by a committee which are transferred to such committee from
146 another committee or other source, except funds received by a candidate committee as a
147 transfer of funds from another candidate committee controlled by the same candidate but such
148 transfer shall be included in the disclosure reports;

149 (g) Facilities, office space or equipment supplied by any person to a candidate or
150 committee without charge or at reduced charges, except gratuitous space for meeting
151 purposes which is made available regularly to the public, including other candidates or
152 committees, on an equal basis for similar purposes on the same conditions;

153 (h) The direct or indirect payment by any person, other than a connected organization,
154 of the costs of establishing, administering, or maintaining a committee, including legal,
155 accounting and computer services, fund raising and solicitation of contributions for a
156 committee;

157 (i) "Contribution" does not include:

158 a. Ordinary home hospitality or services provided without compensation by
159 individuals volunteering their time in support of or in opposition to a candidate, committee or
160 ballot measure, nor the necessary and ordinary personal expenses of such volunteers
161 incidental to the performance of voluntary activities, so long as no compensation is directly or
162 indirectly asked or given;

163 b. An offer or tender of a contribution which is expressly and unconditionally rejected
164 and returned to the donor within ten business days after receipt or transmitted to the state
165 treasurer;

166 c. Interest earned on deposit of committee funds;

167 d. The costs incurred by any connected organization listed pursuant to subdivision (4)
168 of subsection 5 of section 130.021 for establishing, administering or maintaining a committee,
169 or for the solicitation of contributions to a committee which solicitation is solely directed or
170 related to the members, officers, directors, employees or security holders of the connected
171 organization;

172 (13) "County", any one of the several counties of this state or the city of St. Louis;

173 (14) "Disclosure report", an itemized report of receipts, expenditures and incurred
174 indebtedness which is prepared on forms approved by the Missouri ethics commission and
175 filed at the times and places prescribed;

176 (15) "Election", any primary, general or special election held to nominate or elect an
177 individual to public office, to retain or recall an elected officeholder or to submit a ballot
178 measure to the voters, and any caucus or other meeting of a political party or a political party
179 committee at which that party's candidate or candidates for public office are officially

180 selected. A primary election and the succeeding general election shall be considered separate
181 elections;

182 (16) "Expenditure", a payment, advance, conveyance, deposit, donation or
183 contribution of money or anything of value for the purpose of supporting or opposing the
184 nomination or election of any candidate for public office or the qualification or passage of any
185 ballot measure or for the support of any committee which in turn supports or opposes any
186 candidate or ballot measure or for the purpose of paying a previously incurred campaign debt
187 or obligation of a candidate or the debts or obligations of a committee; a payment, or an
188 agreement or promise to pay, money or anything of value, including a candidate's own money
189 or property, for the purchase of goods, services, property, facilities or anything of value for
190 the purpose of supporting or opposing the nomination or election of any candidate for public
191 office or the qualification or passage of any ballot measure or for the support of any
192 committee which in turn supports or opposes any candidate or ballot measure or for the
193 purpose of paying a previously incurred campaign debt or obligation of a candidate or the
194 debts or obligations of a committee. An expenditure of anything of value shall be deemed to
195 have a money value equivalent to the fair market value. "Expenditure" includes, but is not
196 limited to:

197 (a) Payment by anyone other than a committee for services of another person
198 rendered to such committee;

199 (b) The purchase of tickets, goods, services or political merchandise in connection
200 with any testimonial affair or fund-raising event of or for candidates or committees, or the
201 purchase of advertising in a brochure, booklet, program or pamphlet of a candidate or
202 committee;

203 (c) The transfer of funds by one committee to another committee;

204 (d) The direct or indirect payment by any person, other than a connected organization
205 for a committee, of the costs of establishing, administering or maintaining a committee,
206 including legal, accounting and computer services, fund raising and solicitation of
207 contributions for a committee; but

208 (e) "Expenditure" does not include:

209 a. Any news story, commentary or editorial which is broadcast or published by any
210 broadcasting station, newspaper, magazine or other periodical without charge to the candidate
211 or to any person supporting or opposing a candidate or ballot measure;

212 b. The internal dissemination by any membership organization, proprietorship, labor
213 organization, corporation, association or other entity of information advocating the election or
214 defeat of a candidate or candidates or the passage or defeat of a ballot measure or measures to
215 its directors, officers, members, employees or security holders, provided that the cost incurred
216 is reported pursuant to subsection 2 of section 130.051;

- 217 c. Repayment of a loan, but such repayment shall be indicated in required reports;
- 218 d. The rendering of voluntary personal services by an individual of the sort
219 commonly performed by volunteer campaign workers and the payment by such individual of
220 the individual's necessary and ordinary personal expenses incidental to such volunteer
221 activity, provided no compensation is, directly or indirectly, asked or given;
- 222 e. The costs incurred by any connected organization listed pursuant to subdivision (4)
223 of subsection 5 of section 130.021 for establishing, administering or maintaining a committee,
224 or for the solicitation of contributions to a committee which solicitation is solely directed or
225 related to the members, officers, directors, employees or security holders of the connected
226 organization;
- 227 f. The use of a candidate's own money or property for expense of the candidate's
228 personal food, lodging, travel, and payment of any fee necessary to the filing for public office,
229 if such expense is not reimbursed to the candidate from any source;
- 230 (17) "Exploratory committees", a committee which shall be formed by an individual
231 to receive contributions and make expenditures on behalf of this individual in determining
232 whether or not the individual seeks elective office. Such committee shall terminate no later
233 than December thirty-first of the year prior to the general election for the possible office;
- 234 (18) "Fund-raising event", an event such as a dinner, luncheon, reception, coffee,
235 testimonial, rally, auction or similar affair through which contributions are solicited or
236 received by such means as the purchase of tickets, payment of attendance fees, donations for
237 prizes or through the purchase of goods, services or political merchandise;
- 238 (19) "In-kind contribution" or "in-kind expenditure", a contribution or expenditure in
239 a form other than money;
- 240 (20) "Labor organization", any organization of any kind, or any agency or employee
241 representation committee or plan, in which employees participate and which exists for the
242 purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes,
243 wages, rates of pay, hours of employment, or conditions of work;
- 244 (21) "Loan", a transfer of money, property or anything of ascertainable monetary
245 value in exchange for an obligation, conditional or not, to repay in whole or in part and which
246 was contracted, used, or intended for use in an election campaign, or which was made or
247 received by a committee or which was contracted, used, or intended to pay previously
248 incurred campaign debts or obligations of a candidate or the debts or obligations of a
249 committee;
- 250 (22) "Person", an individual, group of individuals, corporation, partnership,
251 committee, proprietorship, joint venture, any department, agency, board, institution or other
252 entity of the state or any of its political subdivisions, union, labor organization, trade or
253 professional or business association, association, political party or any executive committee

254 thereof, or any other club or organization however constituted or any officer or employee of
255 such entity acting in the person's official capacity;

256 (23) "Political merchandise", goods such as bumper stickers, pins, hats, ties, jewelry,
257 literature, or other items sold or distributed at a fund-raising event or to the general public for
258 publicity or for the purpose of raising funds to be used in supporting or opposing a candidate
259 for nomination or election or in supporting or opposing the qualification, passage or defeat of
260 a ballot measure;

261 (24) "Political party", a political party which has the right under law to have the
262 names of its candidates listed on the ballot in a general election;

263 (25) "Political party committee", a state, district, county, city, or area committee of a
264 political party, as defined in section 115.603, which may be organized as a not-for-profit
265 corporation under Missouri law, and which committee is of continuing existence, and has the
266 primary or incidental purpose of receiving contributions and making expenditures to
267 influence or attempt to influence the action of voters on behalf of the political party;

268 (26) "Public office" or "office", any state, judicial, county, municipal, school or other
269 district, ward, township, or other political subdivision office or any political party office
270 which is filled by a vote of registered voters;

271 (27) "Regular session", includes that period beginning on the first Wednesday after
272 the first Monday in January and ending following the first Friday after the second Monday in
273 May;

274 (28) "Write-in candidate", an individual whose name is not printed on the ballot but
275 who otherwise meets the definition of candidate in subdivision (3) of this section.

130.021. 1. Every committee shall have a treasurer who, except as provided in
2 subsection 10 of this section, shall be a resident of this state and reside in the district or county
3 in which the committee sits. A committee may also have a deputy treasurer who, except as
4 provided in subsection 10 of this section, shall be a resident of this state and reside in the
5 district or county in which the committee sits, to serve in the capacity of committee treasurer
6 in the event the committee treasurer is unable for any reason to perform the treasurer's duties.

7 2. Every candidate for offices listed in subsection 1 of section 130.016 who has not
8 filed a statement of exemption pursuant to that subsection and every candidate for offices
9 listed in subsection 6 of section 130.016 who is not excluded from filing a statement of
10 organization and disclosure reports pursuant to subsection 6 of section 130.016 shall form a
11 candidate committee and appoint a treasurer. Thereafter, all contributions on hand and all
12 further contributions received by such candidate and any of the candidate's own funds to be
13 used in support of the person's candidacy shall be deposited in a candidate committee
14 depository account established pursuant to the provisions of subsection 4 of this section, and
15 all expenditures shall be made through the candidate, treasurer or deputy treasurer of the

16 person's candidate committee. Nothing in this chapter shall prevent a candidate from
17 appointing himself or herself as a committee of one and serving as the person's own treasurer,
18 maintaining the candidate's own records and filing all the reports and statements required to
19 be filed by the treasurer of a candidate committee.

20 3. A candidate who has more than one candidate committee supporting the person's
21 candidacy shall designate one of those candidate committees as the committee responsible for
22 consolidating the aggregate contributions to all such committees under the candidate's control
23 and direction as required by section 130.041.

24 4. (1) Every committee shall have a single official fund depository within this state
25 which shall be a federally or state-chartered bank, a federally or state-chartered savings and
26 loan association, or a federally or state-chartered credit union in which the committee shall
27 open and thereafter maintain at least one official depository account in its own name. An
28 "official depository account" shall be a checking account or some type of negotiable draft or
29 negotiable order of withdrawal account, and the official fund depository shall, regarding an
30 official depository account, be a type of financial institution which provides a record of
31 deposits, cancelled checks or other cancelled instruments of withdrawal evidencing each
32 transaction by maintaining copies within this state of such instruments and other transactions.
33 All contributions which the committee receives in money, checks and other negotiable
34 instruments shall be deposited in a committee's official depository account. Contributions
35 shall not be accepted and expenditures shall not be made by a committee except by or through
36 an official depository account and the committee treasurer, deputy treasurer or candidate.
37 Contributions received by a committee shall not be commingled with any funds of an agent of
38 the committee, a candidate or any other person, except that contributions from a candidate of
39 the candidate's own funds to the person's candidate committee shall be deposited to an official
40 depository account of the person's candidate committee. No expenditure shall be made by a
41 committee when the office of committee treasurer is vacant except that when the office of a
42 candidate committee treasurer is vacant, the candidate shall be the treasurer until the
43 candidate appoints a new treasurer.

44 (2) A committee treasurer, deputy treasurer or candidate may withdraw funds from a
45 committee's official depository account and deposit such funds in one or more savings
46 accounts in the committee's name in any bank, savings and loan association or credit union
47 within this state, and may also withdraw funds from an official depository account for
48 investment in the committee's name in any **mutual funds**, certificate of deposit, bond, or
49 security. Proceeds from interest or dividends from a savings account or other investment or
50 proceeds from withdrawals from a savings account or from the sale of an investment shall not
51 be expended or reinvested, except in the case of renewals of certificates of deposit, without
52 first redepositing such proceeds in an official depository account. Investments, other than

53 savings accounts, held outside the committee's official depository account at any time during
54 a reporting period shall be disclosed by description, amount, any identifying numbers and the
55 name and address of any institution or person in which or through which it is held in an
56 attachment to disclosure reports the committee is required to file. Proceeds from an
57 investment such as interest or dividends or proceeds from its sale, shall be reported by date
58 and amount. In the case of the sale of an investment, the names and addresses of the persons
59 involved in the transaction shall also be stated. Funds held in savings accounts and
60 investments, including interest earned, shall be included in the report of money on hand as
61 required by section 130.041.

62 (3) Notwithstanding any other provision of law to the contrary, funds held in
63 candidate committees, campaign committees, debt service committees, and exploratory
64 committees shall be liquid such that these funds shall be readily available for the specific and
65 limited purposes allowed by law. These funds may be invested only in **mutual funds or**
66 short-term treasury instruments or short-term bank certificates with durations of one year or
67 less, or that allow the removal of funds at any time without any additional financial penalty
68 other than the loss of interest income. Continuing committees, political party committees,
69 and other committees such as out-of-state committees not formed for the benefit of any single
70 candidate or ballot issue shall not be subject to the provisions of this subdivision. This
71 subdivision shall not be interpreted to restrict the placement of funds in an interest-bearing
72 checking account.

73 5. The treasurer or deputy treasurer acting on behalf of any person or organization or
74 group of persons which is a committee by virtue of the definitions of committee in section
75 130.011 and any candidate who is not excluded from forming a committee in accordance with
76 the provisions of section 130.016 shall file a statement of organization with the appropriate
77 officer within twenty days after the person or organization becomes a committee but no later
78 than the date for filing the first report required pursuant to the provisions of section 130.046.
79 The statement of organization shall contain the following information:

80 (1) The name, mailing address and telephone number, if any, of the committee filing
81 the statement of organization. If the committee is deemed to be affiliated with a connected
82 organization as provided in subdivision (11) of section 130.011, the name of the connected
83 organization, or a legally registered fictitious name which reasonably identifies the connected
84 organization, shall appear in the name of the committee. If the committee is a candidate
85 committee, the name of the candidate shall be a part of the committee's name;

86 (2) The name, mailing address and telephone number of the candidate;

87 (3) The name, mailing address and telephone number of the committee treasurer, and
88 the name, mailing address and telephone number of its deputy treasurer if the committee has
89 named a deputy treasurer;

90 (4) The names, mailing addresses and titles of its officers, if any;

91 (5) The name and mailing address of any connected organizations with which the
92 committee is affiliated;

93 (6) The name and mailing address of its depository, and the name and account
94 number of each account the committee has in the depository. The account number of each
95 account shall be redacted prior to disclosing the statement to the public;

96 (7) Identification of the major nature of the committee such as a candidate committee,
97 campaign committee, continuing committee, political party committee, incumbent committee,
98 or any other committee according to the definition of committee in section 130.011;

99 (8) In the case of the candidate committee designated in subsection 3 of this section,
100 the full name and address of each other candidate committee which is under the control and
101 direction of the same candidate, together with the name, address and telephone number of the
102 treasurer of each such other committee;

103 (9) The name and office sought of each candidate supported or opposed by the
104 committee;

105 (10) The ballot measure concerned, if any, and whether the committee is in favor of or
106 opposed to such measure.

107 6. A committee may omit the information required in subdivisions (9) and (10) of
108 subsection 5 of this section if, on the date on which it is required to file a statement of
109 organization, the committee has not yet determined the particular candidates or particular
110 ballot measures it will support or oppose.

111 7. A committee which has filed a statement of organization and has not terminated
112 shall not be required to file another statement of organization, except that when there is a
113 change in any of the information previously reported as required by subdivisions (1) to (8) of
114 subsection 5 of this section an amended statement of organization shall be filed within twenty
115 days after the change occurs, but no later than the date of the filing of the next report required
116 to be filed by that committee by section 130.046.

117 8. Upon termination of a committee, a termination statement indicating dissolution
118 shall be filed not later than ten days after the date of dissolution with the appropriate officer or
119 officers with whom the committee's statement of organization was filed. The termination
120 statement shall include: the distribution made of any remaining surplus funds and the
121 disposition of any deficits; and the name, mailing address and telephone number of the
122 individual responsible for preserving the committee's records and accounts as required in
123 section 130.036.

124 9. Any statement required by this section shall be signed and attested by the
125 committee treasurer or deputy treasurer, and by the candidate in the case of a candidate
126 committee.

127 10. A committee domiciled outside this state shall be required to file a statement of
128 organization and appoint a treasurer residing in this state and open an account in a depository
129 within this state; provided that either of the following conditions prevails:

130 (1) The aggregate of all contributions received from persons domiciled in this state
131 exceeds twenty percent in total dollar amount of all funds received by the committee in the
132 preceding twelve months; or

133 (2) The aggregate of all contributions and expenditures made to support or oppose
134 candidates and ballot measures in this state exceeds one thousand five hundred dollars in the
135 current calendar year.

136 11. If a committee domiciled in this state receives a contribution of one thousand five
137 hundred dollars or more from any committee domiciled outside of this state, the committee
138 domiciled in this state shall file a disclosure report with the commission. The report shall
139 disclose the full name, mailing address, telephone numbers and domicile of the contributing
140 committee and the date and amount of the contribution. The report shall be filed within forty-
141 eight hours of the receipt of such contribution if the contribution is received after the last
142 reporting date before the election.

143 12. Each legislative and senatorial district committee shall retain only one address in
144 the district it sits for the purpose of receiving contributions.

130.034. 1. Contributions as defined in section 130.011, received by any committee
2 shall not be converted to any personal use.

3 2. Contributions may be used for any purpose allowed by law including, but not
4 limited to:

5 (1) Any ordinary expenses incurred relating to a campaign;

6 (2) Any ordinary and necessary expenses incurred in connection with the duties of a
7 holder of elective office;

8 (3) Any expenses associated with the duties of candidacy or of elective office
9 pertaining to the entertaining of or providing social courtesies to constituents, professional
10 associations, or other holders of elective office;

11 (4) **Any reasonable legal fees incurred in defense of a legal proceeding arising**
12 **out of the official duties of a holder of elective office;**

13 (5) The return of any contribution to the person who made the contribution to the
14 candidate or holder of elective office;

15 ~~(5)~~ (6) To contribute to a political organization or candidate committee as allowed
16 by law;

17 ~~(6)~~ (7) To establish a new committee as defined by this chapter;

18 ~~(7)~~ (8) To make an unconditional gift which is fully vested to any charitable,
19 fraternal or civic organizations or other associations formed to provide for some good in the

20 order of benevolence, if such candidate, former candidate or holder of elective office or such
21 person's immediate family gain no direct financial benefit from the unconditional gift;

22 ~~[(8)]~~ (9) Except when such candidate, former candidate or holder of elective office
23 dies while the committee remains in existence, the committee may make an unconditional gift
24 to a fund established for the benefit of the spouse and children of the candidate, former
25 candidate or holder of elective office. The provisions of this subdivision shall expire October
26 1, 1997.

27 3. Upon the death of the candidate, former candidate or holder of elective office who
28 received such contributions, all contributions shall be disposed of according to this section
29 and any funds remaining after final settlement of the candidate's decedent's estate, or if no
30 estate is opened, then twelve months after the candidate's death, will escheat to the state of
31 Missouri to be deposited in the general revenue fund.

32 4. No contributions, as defined in section 130.011, received by a candidate, former
33 candidate or holder of elective office shall be used to make restitution payments ordered of
34 such individual by a court of law or for the payment of any fine resulting from conviction of a
35 violation of any local, state or federal law.

36 5. Committees described in subdivision (17) of section 130.011 shall make
37 expenditures only for the purpose of determining whether an individual will be a candidate.
38 Such expenditures include polling information, mailings, personal appearances, telephone
39 expenses, office and travel expenses but may not include contributions to other candidate
40 committees.

41 6. Any moneys in the exploratory committee fund may be transferred to the candidate
42 committee upon declaration of candidacy for the position being explored. Such funds shall be
43 included for the purposes of reporting and limitation. In the event that candidacy is not
44 declared for the position being explored, the remaining exploratory committee funds shall be
45 returned to the contributors on a pro rata basis. In no event shall the amount returned exceed
46 the amount given by each contributor nor be less than ten dollars.

47 7. Funds held in candidate committees, campaign committees, debt service
48 committees, and exploratory committees shall be liquid such that these funds shall be
49 readily available for the specific and limited purposes allowed by law. These funds may be
50 invested only in **mutual funds or in** short-term treasury instruments or short-term bank
51 certificates with durations of one year or less, or that allow the removal of funds at any time
52 without any additional financial penalty other than the loss of interest income. Continuing
53 committees, political party committees, and other committees such as out-of-state committees
54 not formed for the benefit of any single candidate or ballot issue shall not be subject to the
55 provisions of this subsection. This subsection shall not be interpreted to restrict the
56 placement of funds in an interest-bearing checking account.

130.036. 1. The candidate, treasurer or deputy treasurer of a committee shall
2 maintain accurate records and accounts on a current basis. The records and accounts shall be
3 maintained in accordance with accepted normal bookkeeping procedures and shall contain the
4 bills, receipts, deposit records, cancelled checks and other detailed information necessary to
5 prepare and substantiate any statement or report required to be filed pursuant to this chapter.
6 Every person who acts as an agent for a committee in receiving contributions, making
7 expenditures or incurring indebtedness for the committee shall, on request of that committee's
8 treasurer, deputy treasurer or candidate, but in any event within five days after any such
9 action, render to the candidate, committee treasurer or deputy treasurer a detailed account
10 thereof, including names, addresses, dates, exact amounts and any other details required by
11 the candidate, treasurer or deputy treasurer to comply with this chapter. Notwithstanding the
12 provisions of subsection 4 of section 130.021 prohibiting commingling of funds, an
13 individual, trade or professional association, business entity, or labor organization which acts
14 as an agent for a committee in receiving contributions may deposit contributions received on
15 behalf of the committee to the agent's account within a financial institution within this state,
16 for purposes of facilitating transmittal of the contributions to the candidate, committee
17 treasurer or deputy treasurer. Such contributions shall not be held in the agent's account for
18 more than five days after the date the contribution was received by the agent, and shall not be
19 transferred to the account of any other agent or person, other than the committee treasurer.

20 2. Unless a contribution is rejected by the candidate or committee and returned to the
21 donor or transmitted to the state treasurer within ten business days after its receipt, it shall be
22 considered received and accepted on the date received, notwithstanding the fact that it was
23 not deposited by the closing date of a reporting period.

24 3. Notwithstanding the provisions of section 130.041 that only contributors of more
25 than one hundred dollars shall be reported by name and address for all committees, the
26 committee's records shall contain a listing of each contribution received by the committee,
27 including those accepted and those which are rejected and either returned to the donor or
28 transmitted to the state treasurer. Each contribution, regardless of the amount, shall be
29 recorded by date received, name and address of the contributor and the amount of the
30 contribution, except that any contributions from unidentifiable persons which are received
31 through fund-raising activities and events as permitted in subsection 6 of section 130.031
32 shall be recorded to show the dates and amounts of all such contributions received together
33 with information contained in statements required by subsection 6 of section 130.031. The
34 procedure for recording contributions shall be of a type which enables the candidate,
35 committee treasurer or deputy treasurer to maintain a continuing total of all contributions
36 received from any one contributor.

37 4. Notwithstanding the provisions of section 130.041 that certain expenditures need
38 not be identified in reports by name and address of the payee, the committee's records shall
39 include a listing of each expenditure made and each contract, promise or agreement to make
40 an expenditure, showing the date and amount of each transaction, the name and address of the
41 person to whom the expenditure was made or promised, and the purpose of each expenditure
42 made or promised.

43 5. In the case of a committee which makes expenditures for both the support or
44 opposition of any candidate and the passage or defeat of a ballot measure, the committee
45 treasurer shall maintain records segregated according to each candidate or measure for which
46 the expenditures were made.

47 6. Records shall indicate which transactions, either contributions received or
48 expenditures made, were cash transactions or in-kind transactions.

49 7. Any candidate who, pursuant to section 130.016, is exempt from the requirements
50 to form a committee shall maintain records of each contribution received or expenditure made
51 in support of his candidacy. Any other person or combination of persons who, although not
52 deemed to be a committee according to the definition of the term "committee" in section
53 130.011, accepts contributions or makes expenditures, other than direct contributions from the
54 person's own funds, for the purpose of supporting or opposing the election or defeat of any
55 candidate or for the purpose of supporting or opposing the qualifications, passage or defeat of
56 any ballot measure shall maintain records of each contribution received or expenditure made.
57 The records shall include name, address and amount pertaining to each contribution received
58 or expenditure made and any bills, receipts, cancelled checks or other documents relating to
59 each transaction.

60 8. All records and accounts of receipts and expenditures shall be preserved for at least
61 three years after the date of the election to which the records pertain. Records and accounts
62 regarding supplemental disclosure reports or reports not required pursuant to an election shall
63 be preserved for at least three years after the date of the report to which the records pertain.
64 Such records shall be available for inspection by the ~~[campaign finance review board]~~
65 **Missouri ethics commission** and its duly authorized representatives.

130.041. 1. Except as provided in subsection 5 of section 130.016, the candidate, if
2 applicable, treasurer or deputy treasurer of every committee which is required to file a
3 statement of organization, shall file a legibly printed or typed disclosure report of receipts and
4 expenditures. The reports shall be filed with the appropriate officer designated in section
5 130.026 at the times and for the periods prescribed in section 130.046. Except as provided in
6 sections 130.049 and 130.050, each report shall set forth:

7 (1) The full name, as required in the statement of organization pursuant to subsection
8 5 of section 130.021, and mailing address of the committee filing the report and the full name,

9 mailing address and telephone number of the committee's treasurer and deputy treasurer if the
10 committee has named a deputy treasurer;

11 (2) The amount of money, including cash on hand at the beginning of the reporting
12 period;

13 (3) Receipts for the period, including:

14 (a) Total amount of all monetary contributions received which can be identified in the
15 committee's records by name and address of each contributor. In addition, the candidate
16 committee shall make a reasonable effort to obtain and report the employer, or occupation if
17 self-employed or notation of retirement, of each person from whom the committee received
18 one or more contributions which in the aggregate total in excess of one hundred dollars and
19 shall make a reasonable effort to obtain and report a description of any contractual
20 relationship over five hundred dollars between the contributor and the state if the candidate is
21 seeking election to a state office or between the contributor and any political subdivision of
22 the state if the candidate is seeking election to another political subdivision of the state;

23 (b) Total amount of all anonymous contributions accepted;

24 (c) Total amount of all monetary contributions received through fund-raising events
25 or activities from participants whose names and addresses were not obtained with such
26 contributions, with an attached statement or copy of the statement describing each fund-
27 raising event as required in subsection 6 of section 130.031;

28 (d) Total dollar value of all in-kind contributions received;

29 (e) A separate listing by name and address and employer, or occupation if self-
30 employed or notation of retirement, of each person from whom the committee received
31 contributions, in money or any other thing of value, aggregating more than one hundred
32 dollars, together with the date and amount of each such contribution;

33 (f) A listing of each loan received by name and address of the lender and date and
34 amount of the loan. For each loan of more than one hundred dollars, a separate statement
35 shall be attached setting forth the name and address of the lender and each person liable
36 directly, indirectly or contingently, and the date, amount and terms of the loan;

37 (4) Expenditures for the period, including:

38 (a) The total dollar amount of expenditures made by check drawn on the committee's
39 depository;

40 (b) The total dollar amount of expenditures made in cash;

41 (c) The total dollar value of all in-kind expenditures made;

42 (d) The full name and mailing address of each person to whom an expenditure of
43 money or any other thing of value in the amount of more than ~~one~~ **two** hundred dollars has
44 been made, contracted for or incurred, together with the date, amount and purpose of each
45 expenditure. Expenditures of ~~one~~ **two** hundred dollars or less may be grouped and listed by

46 categories of expenditure showing the total dollar amount of expenditures in each category,
47 except that the report shall contain an itemized listing of each payment made to campaign
48 workers by name, address, date, amount and purpose of each payment and the aggregate
49 amount paid to each such worker. **The reporting threshold listed in this section shall be**
50 **increased as provided in this paragraph. On January 1, 2025, and on January first of**
51 **successive years, the executive director of the commission shall measure the increase in**
52 **the cost of living by the percentage increase as of the preceding July over the level as of**
53 **July of the immediately preceding year of the Consumer Price Index for Urban Wage**
54 **Earners and Clerical Workers (CPI-W) or successor index as published by the U.S.**
55 **Department of Labor or its successor agency. On January 1, 2025, the dollar amount**
56 **listed in this paragraph shall be increased by the percentage increase in the cost of living**
57 **as measured in this paragraph, and this shall be known as the base amount. The base**
58 **amount shall be the dollar amount that is increased each year pursuant to this**
59 **paragraph. If in any given year, the base amount has cumulatively increased by an**
60 **increment of five dollars or more from the original dollar amount listed in this**
61 **paragraph, the reporting threshold shall be increased by five dollars;**

62 (e) A list of each loan made, by name and mailing address of the person receiving the
63 loan, together with the amount, terms and date;

64 (5) The total amount of cash on hand as of the closing date of the reporting period
65 covered, including amounts in depository accounts and in petty cash fund;

66 (6) The total amount of outstanding indebtedness as of the closing date of the
67 reporting period covered;

68 (7) The amount of expenditures for or against a candidate or ballot measure during
69 the period covered and the cumulative amount of expenditures for or against that candidate or
70 ballot measure, with each candidate being listed by name, mailing address and office sought.
71 For the purpose of disclosure reports, expenditures made in support of more than one
72 candidate or ballot measure or both shall be apportioned reasonably among the candidates or
73 ballot measure or both. In apportioning expenditures to each candidate or ballot measure,
74 political party committees and continuing committees need not include expenditures for
75 maintaining a permanent office, such as expenditures for salaries of regular staff, office
76 facilities and equipment or other expenditures not designed to support or oppose any
77 particular candidates or ballot measures; however, all such expenditures shall be listed
78 pursuant to subdivision (4) of this subsection;

79 (8) A separate listing by full name and address of any committee including a
80 candidate committee controlled by the same candidate for which a transfer of funds or a
81 contribution in any amount has been made during the reporting period, together with the date
82 and amount of each such transfer or contribution;

83 (9) A separate listing by full name and address of any committee, including a
84 candidate committee controlled by the same candidate from which a transfer of funds or a
85 contribution in any amount has been received during the reporting period, together with the
86 date and amount of each such transfer or contribution;

87 (10) Each committee that receives a contribution which is restricted or designated in
88 whole or in part by the contributor for transfer to a particular candidate, committee or other
89 person shall include a statement of the name and address of that contributor in the next
90 disclosure report required to be filed after receipt of such contribution, together with the date
91 and amount of any such contribution which was so restricted or designated by that
92 contributor, together with the name of the particular candidate or committee to whom such
93 contribution was so designated or restricted by that contributor and the date and amount of
94 such contribution.

95 2. For the purpose of this section and any other section in this chapter except sections
96 130.049 and 130.050 which requires a listing of each contributor who has contributed a
97 specified amount, the aggregate amount shall be computed by adding all contributions
98 received from any one person during the following periods:

99 (1) In the case of a candidate committee, the period shall begin on the date on which
100 the candidate became a candidate according to the definition of the term "candidate" in
101 section 130.011 and end at 11:59 p.m. on the day of the primary election, if the candidate has
102 such an election or at 11:59 p.m. on the day of the general election. If the candidate has a
103 general election held after a primary election, the next aggregating period shall begin at 12:00
104 midnight on the day after the primary election day and shall close at 11:59 p.m. on the day of
105 the general election. Except that for contributions received during the thirty-day period
106 immediately following a primary election, the candidate shall designate whether such
107 contribution is received as a primary election contribution or a general election contribution;

108 (2) In the case of a campaign committee, the period shall begin on the date the
109 committee received its first contribution and end on the closing date for the period for which
110 the report or statement is required;

111 (3) In the case of a political party committee or a continuing committee, the period
112 shall begin on the first day of January of the year in which the report or statement is being
113 filed and end on the closing date for the period for which the report or statement is required;
114 except, if the report or statement is required to be filed prior to the first day of July in any
115 given year, the period shall begin on the first day of July of the preceding year.

116 3. The disclosure report shall be signed and attested by the committee treasurer or
117 deputy treasurer and by the candidate in case of a candidate committee.

118 4. The words "consulting or consulting services, fees, or expenses", or similar words,
119 shall not be used to describe the purpose of a payment as required in this section. The

120 reporting of any payment to such an independent contractor shall be on a form supplied by the
121 appropriate officer, established by the ethics commission and shall include identification of
122 the specific service or services provided including, but not limited to, public opinion polling,
123 research on issues or opposition background, print or broadcast media production, print or
124 broadcast media purchase, computer programming or data entry, direct mail production,
125 postage, rent, utilities, phone solicitation, or fund raising, and the dollar amount prorated for
126 each service.

130.046. 1. The disclosure reports required by section 130.041 for all committees
2 shall be filed at the following times and for the following periods:

3 (1) Not later than the eighth day before an election for the period closing on the
4 twelfth day before the election if the committee has made any contribution or expenditure
5 either in support or opposition to any candidate or ballot measure;

6 (2) Not later than the thirtieth day after an election for a period closing on the twenty-
7 fifth day after the election, if the committee has made any contribution or expenditure either
8 in support of or opposition to any candidate or ballot measure; except that, a successful
9 candidate who takes office prior to the twenty-fifth day after the election shall have complied
10 with the report requirement of this subdivision if a disclosure report is filed by such candidate
11 and any candidate committee under the candidate's control before such candidate takes office,
12 and such report shall be for the period closing on the day before taking office; and

13 (3) Not later than the fifteenth day following the close of each calendar quarter.
14

15 Notwithstanding the provisions of this subsection, if any committee accepts contributions or
16 makes expenditures in support of or in opposition to a ballot measure or a candidate, and the
17 report required by this subsection for the most recent calendar quarter is filed prior to the
18 fortieth day before the election on the measure or candidate, the committee shall file an
19 additional disclosure report not later than the fortieth day before the election for the period
20 closing on the forty-fifth day before the election.

21 2. In the case of a ballot measure to be qualified to be on the ballot by initiative
22 petition or referendum petition, or a recall petition seeking to remove an incumbent from
23 office, disclosure reports relating to the time for filing such petitions shall be made as follows:

24 (1) In addition to the disclosure reports required to be filed pursuant to subsection 1
25 of this section the treasurer of a committee, other than a continuing committee, supporting or
26 opposing a petition effort to qualify a measure to appear on the ballot or to remove an
27 incumbent from office shall file an initial disclosure report fifteen days after the committee
28 begins the process of raising or spending money. After such initial report, the committee shall
29 file quarterly disclosure reports as required by subdivision (3) of subsection 1 of this section
30 until such time as the reports required by subdivisions (1) and (2) of subsection 1 of this

31 section are to be filed. In addition the committee shall file a second disclosure report no later
32 than the fifteenth day after the deadline date for submitting such petition. The period covered
33 in the initial report shall begin on the day the committee first accepted contributions or made
34 expenditures to support or oppose the petition effort for qualification of the measure and shall
35 close on the fifth day prior to the date of the report;

36 (2) If the measure has qualified to be on the ballot in an election and if a committee
37 subject to the requirements of subdivision (1) of this subsection is also required to file a
38 preelection disclosure report for such election any time within thirty days after the date on
39 which disclosure reports are required to be filed in accordance with subdivision (1) of this
40 subsection, the treasurer of such committee shall not be required to file the report required by
41 subdivision (1) of this subsection, but shall include in the committee's preelection report all
42 information which would otherwise have been required by subdivision (1) of this subsection.

43 3. The candidate, if applicable, treasurer or deputy treasurer of a committee shall file
44 disclosure reports pursuant to this section, except for any calendar quarter in which the
45 contributions received by the committee or the expenditures or contributions made by the
46 committee do not exceed five hundred dollars. The reporting dates and periods covered for
47 such quarterly reports shall not be later than the fifteenth day of January, April, July and
48 October for periods closing on the thirty-first day of December, the thirty-first day of March,
49 the thirtieth day of June and the thirtieth day of September. No candidate, treasurer or deputy
50 treasurer shall be required to file the quarterly disclosure report required not later than the
51 fifteenth day of any January immediately following a November election, provided that such
52 candidate, treasurer or deputy treasurer shall file the information required on such quarterly
53 report on the quarterly report to be filed not later than the fifteenth day of April immediately
54 following such November election. Each report by such committee shall be cumulative from
55 the date of the last report. In the case of the continuing committee's first report, the report
56 shall be cumulative from the date of the continuing committee's organization. Every
57 candidate, treasurer or deputy treasurer shall file, at a minimum, the campaign disclosure
58 reports covering the quarter immediately preceding the date of the election and those required
59 by subdivisions (1) and (2) of subsection 1 of this section. A continuing committee shall
60 submit additional reports if it makes aggregate expenditures, other than contributions to a
61 committee, of five hundred dollars or more, within the reporting period at the following times
62 for the following periods:

63 (1) Not later than the eighth day before an election for the period closing on the
64 twelfth day before the election;

65 (2) Not later than twenty-four hours after aggregate expenditures of two hundred fifty
66 dollars or more are made after the twelfth day before the election; and

67 (3) Not later than the thirtieth day after an election for a period closing on the twenty-
68 fifth day after the election.

69 4. The reports required to be filed no later than the thirtieth day after an election and
70 any subsequently required report shall be cumulative so as to reflect the total receipts and
71 disbursements of the reporting committee for the entire election campaign in question. The
72 period covered by each disclosure report shall begin on the day after the closing date of the
73 most recent disclosure report filed and end on the closing date for the period covered. If the
74 committee has not previously filed a disclosure report, the period covered begins on the date
75 the committee was formed; except that in the case of a candidate committee, the period
76 covered begins on the date the candidate became a candidate according to the definition of the
77 term candidate in section 130.011.

78 5. Notwithstanding any other provisions of this chapter to the contrary:

79 (1) Certain disclosure reports pertaining to any candidate who receives nomination in
80 a primary election and thereby seeks election in the immediately succeeding general election
81 shall not be required in the following cases:

82 (a) If there are less than fifty days between a primary election and the immediately
83 succeeding general election, the disclosure report required to be filed quarterly; provided that,
84 any other report required to be filed prior to the primary election and all other reports required
85 to be filed not later than the eighth day before the general election are filed no later than the
86 final dates for filing such reports;

87 (b) If there are less than eighty-five days between a primary election and the
88 immediately succeeding general election, the disclosure report required to be filed not later
89 than the thirtieth day after the primary election need not be filed; provided that any report
90 required to be filed prior to the primary election and any other report required to be filed prior
91 to the general election are filed no later than the final dates for filing such reports; and

92 (2) No disclosure report needs to be filed for any reporting period if during that
93 reporting period the committee has neither received contributions aggregating more than five
94 hundred dollars nor made expenditure aggregating more than five hundred dollars and has not
95 received contributions aggregating more than three hundred dollars from any single
96 contributor and if the committee's treasurer files a statement with the appropriate officer that
97 the committee has not exceeded the identified thresholds in the reporting period. Any
98 contributions received or expenditures made which are not reported because this statement is
99 filed in lieu of a disclosure report shall be included in the next disclosure report filed by the
100 committee. This statement shall not be filed in lieu of the report for two or more consecutive
101 disclosure periods if either the contributions received or expenditures made in the aggregate
102 during those reporting periods exceed five hundred dollars. This statement shall not be filed,

103 in lieu of the report, later than the thirtieth day after an election if that report would show a
104 deficit of more than one thousand dollars.

105 6. (1) If the disclosure report required to be filed by a committee not later than the
106 thirtieth day after an election shows a deficit of unpaid loans and other outstanding
107 obligations in excess of five thousand dollars, semiannual supplemental disclosure reports
108 shall be filed with the appropriate officer for each succeeding semiannual period until the
109 deficit is reported in a disclosure report as being reduced to five thousand dollars or less;
110 except that, a supplemental semiannual report shall not be required for any semiannual period
111 which includes the closing date for the reporting period covered in any regular disclosure
112 report which the committee is required to file in connection with an election. The reporting
113 dates and periods covered for semiannual reports shall be not later than the fifteenth day of
114 January and July for periods closing on the thirty-first day of December and the thirtieth day
115 of June.

116 (2) Committees required to file reports pursuant to subsection 2 or 3 of this section
117 which are not otherwise required to file disclosure reports for an election shall file semiannual
118 reports as required by this subsection if their last required disclosure report shows a total of
119 unpaid loans and other outstanding obligations in excess of five thousand dollars.

120 7. In the case of a committee which disbands and is required to file a termination
121 statement pursuant to the provisions of section 130.021 with the appropriate officer not later
122 than the tenth day after the committee was dissolved, the candidate, committee treasurer or
123 deputy treasurer shall attach to the termination statement a complete disclosure report for the
124 period closing on the date of dissolution. A committee shall not utilize the provisions of
125 subsection 8 of section 130.021 or the provisions of this subsection to circumvent or
126 otherwise avoid the reporting requirements of subsection 6 or 7 of this section.

127 8. Disclosure reports shall be filed with the appropriate officer not later than 5:00
128 p.m. [~~prevailing local time~~] of the day designated for the filing of the report and a report
129 postmarked not later than midnight of the day previous to the day designated for filing the
130 report shall be deemed to have been filed in a timely manner. The appropriate officer may
131 establish a policy whereby disclosure reports may be filed by facsimile transmission.
132 **Notwithstanding the requirements of this subsection, the deadline for the filing of any**
133 **disclosure report, where the appropriate officer is the Missouri ethics commission and**
134 **the report is filed electronically, shall be not later than 11:59 p.m. of the day designated**
135 **for the filing of the report.**

136 9. Each candidate for the office of state representative, state senator, and for statewide
137 elected office shall file all disclosure reports described in section 130.041 electronically with
138 the Missouri ethics commission. The Missouri ethics commission shall promulgate rules

139 establishing the standard for electronic filings with the commission and shall propose such
140 rules for the importation of files to the reporting program.

141 **10. (1) The executive director of the Missouri ethics commission may extend the**
142 **deadline for the filing of any report or statement to be filed with the commission**
143 **pursuant to this chapter if, in the discretion of the executive director, there are**
144 **extraordinary circumstances affecting the commission's ability to accept electronic**
145 **filings from all filers, provided that such deadline extension shall not extend more than**
146 **two business days, exclusive of Saturdays, Sundays, or official state holidays beyond the**
147 **established deadline.**

148 **(2) The executive director of the Missouri ethics commission may extend the**
149 **deadline for the filing of any report or statement to be filed with the commission**
150 **pursuant to this chapter if there has been a governor-declared state of emergency,**
151 **provided such extension shall not extend beyond thirty days.**

152 **11.** Any rule or portion of a rule, as that term is defined in section 536.010, that is
153 created under the authority delegated in this section shall become effective only if it complies
154 with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028.
155 This section and chapter 536 are nonseverable and if any of the powers vested with the
156 general assembly pursuant to chapter 536 to review, to delay the effective date, or to
157 disapprove and annul a rule are subsequently held unconstitutional, then the grant of
158 rulemaking authority and any rule proposed or adopted after August 28, 2006, shall be invalid
159 and void.

130.056. 1. The executive director of the Missouri ethics commission shall:

2 (1) Take such steps as are necessary to disseminate among the general public such
3 information as may serve to guide all persons who are or may become subject to the
4 provisions of this chapter for the purpose of facilitating voluntary compliance with the
5 purposes and provisions of this chapter;

6 (2) Be responsible for expediting the filing of all reports, statements and other
7 information required to be filed pursuant to the provisions of this chapter and, in connection
8 therewith, be responsible for developing procedures whereby all candidates shall be informed
9 of the provisions of section 130.016 so as to assure the timely filing of statements which some
10 candidates are eligible to file as provided in section 130.016;

11 (3) Develop and publish forms and printed instructional material and furnish such
12 forms and instructions to persons required to file reports and statements pursuant to the
13 provisions of this chapter, together with a summary of the provisions of chapter 115, which
14 apply to candidates and committees covered by this chapter, provided, however, such forms
15 shall not seek information which is not specifically required by this chapter. All forms
16 furnished pursuant to this chapter shall clearly state in readable type on the face of the form

17 the date on which the form became effective. The forms published by the executive director
18 shall provide for compliance with reporting and other provisions of this chapter. Any report
19 form published by the executive director for purposes of compliance with section 130.041
20 shall provide for reporting contributions from individuals, corporations, labor organizations
21 and fictitious entities and contributions from committees on the same form. Contributions
22 from committees shall be listed first on each report form. All expenditures shall also be
23 reported on a single report form;

24 (4) Develop a filing, coding and cross-indexing system for reports and statements
25 required to be filed with the Missouri ethics commission, and preserve such reports and
26 statements for a period of not less than five years from date of receipt;

27 (5) Make the reports and statements filed with the Missouri ethics commission
28 available for public inspection and copying, commencing as soon as practicable but not later
29 than the end of the second day after which a report was received, and permit copying of any
30 such report or statement by hand or by duplicating machine, as requested by any person, at the
31 expense of such person, but no information obtained from such reports and statements shall
32 be sold or utilized by any person for any commercial purpose;

33 (6) Examine each report and statement filed with the Missouri ethics commission
34 pursuant to the requirements of this chapter to determine if the statements are properly
35 completed and filed within the time required by this chapter;

36 (7) Notify a person required to file a report or statement pursuant to this chapter with
37 the Missouri ethics commission immediately if, upon examination of the official ballot or
38 other circumstances surrounding any election, it appears that the person has failed to file a
39 report or statement as required by law;

40 (8) From reports filed with the Missouri ethics commission, prepare and publish an
41 annual report including compilations of amounts contributed and expended for the
42 influencing of nominations and elections;

43 (9) Prepare and publish such other reports as the Missouri ethics commission deems
44 appropriate;

45 (10) Disseminate statistics, summaries, and reports prepared under this chapter;

46 (11) Employ staff and retain such contract services, including legal services to
47 represent the commission before any state agency or before the courts as the executive
48 director deems necessary within the limits authorized by appropriation by the general
49 assembly.

50 2. Each appropriate officer other than the executive director of the Missouri ethics
51 commission shall:

52 (1) Assist the executive director in furnishing forms and printed instructional material
53 to persons required to file reports and statements pursuant to the provisions of this chapter;

54 (2) Accept reports and statements required to be filed with the person's office;

55 (3) Develop for the officer's constituency a filing, coding, and cross-indexing system
56 consonant with the purposes of this chapter;

57 (4) Make the reports and statements filed with the officer available for public
58 inspection and copying, commencing as soon as practicable but not later than the end of the
59 second day after which a report was received, and permit copying of any such report or
60 statement by hand or by duplicating machine, as requested by any person, at the expense of
61 such person, but no information obtained from such reports and statements shall be sold or
62 utilized by any person for any commercial purpose;

63 (5) Preserve such reports and statements for a period of not less than five years from
64 the date of receipt;

65 (6) Examine each report and statement filed with the person's office pursuant to the
66 requirements of this chapter to determine if the reports and statements appear to be complete
67 and filed within the required time;

68 (7) Notify a person required to file a report or statement pursuant to this chapter
69 immediately if, upon examination of the circumstances surrounding any election, it appears
70 that the person has failed to file a report or statement as required by law;

71 (8) Notify the Missouri ethics commission if the person has reasonable cause to
72 believe that a violation of this chapter has occurred;

73 (9) Assess every candidate for state or local office failing to file with a local election
74 authority pursuant to section 130.026, a campaign disclosure report as required by this
75 chapter other than the report required pursuant to subdivision (1) of subsection 1 of section
76 130.046, a late filing fee of ~~ten~~ **twenty** dollars for each day such report is due to the election
77 authority. The local election authority shall mail a notice, by registered mail, to any candidate
78 and candidate committee treasurer and deputy treasurer who fails to file such report informing
79 such person of such failure and the fees provided by this subdivision. If the candidate persists
80 in such failure for a period in excess of thirty days beyond the receipt of such notice, the
81 amount of the late filing fee shall increase to one hundred dollars for each day that the report
82 is not filed, provided that the total amount of such fees assessed pursuant to this subsection
83 per report shall not exceed three hundred dollars. **The late filing fees listed in this section**
84 **shall be increased as provided in this subdivision. On January 1, 2025, and on January**
85 **first of successive years, the executive director of the commission shall measure the**
86 **increase in the cost of living by the percentage increase as of the preceding July over the**
87 **level as of July of the immediately preceding year of the Consumer Price Index for**
88 **Urban Wage Earners and Clerical Workers (CPI-W) or successor index as published by**
89 **the U.S. Department of Labor or its successor agency. On January 1, 2025, the fee listed**
90 **in this subdivision shall be increased by the percentage increase in the cost of living as**

91 **measured in this subdivision, and this shall be known as the base amount. The base**
92 **amount shall be the dollar amount that is increased each year pursuant to this**
93 **subdivision. If in any given year, the base amount has cumulatively increased by an**
94 **increment of five dollars or more from the original fee listed in this subdivision, the late**
95 **filing fee shall be increased by five dollars.**

96 3. Any person receiving from an appropriate officer a copy of, or who is permitted to
97 inspect or make a copy of, any report or statement filed pursuant to the requirements of this
98 chapter shall sign a statement that the person will not utilize the reports or statements or any
99 information thereon for any commercial use, except for public news reporting, whatsoever
100 and will not transfer the information obtained to any other persons for such purposes. It shall
101 be the responsibility of each appropriate officer to instruct any person making a request to
102 inspect, copy or receive a copy of any report or statement or any portion of a report or
103 statement filed pursuant to this chapter that the utilization of any information obtained from
104 such reports for any commercial purpose is a violation of this chapter.

347.163. 1. Every foreign limited liability company now transacting business in or
2 which may hereafter transact business in this state which shall neglect or fail to comply with
3 the provisions of section 347.153 shall be subject to a fine of not less than one thousand
4 dollars. If the secretary is advised that a foreign limited liability company is transacting
5 business within this state in contravention of sections 347.010 to 347.187, the secretary shall
6 report the fact to the prosecuting attorney of any county in which the limited liability
7 company is transacting business, and the prosecuting attorney shall, as soon thereafter as is
8 practical, institute proceedings to recover the fine prescribed in this section. In addition to
9 such penalty, no foreign limited liability company failing to comply with sections 347.010 to
10 347.187 may maintain any suit or action, either legal or equitable, in any of the courts of this
11 state, upon any demand, whether arising out of contract or tort, while the requirements of
12 sections 347.010 to 347.187 have not been met.

13 2. The failure of a foreign limited liability company to register in this state does not
14 impair the validity of any contract or act of the foreign limited liability company or prevent
15 the foreign limited liability company from defending any action, suit or proceeding in any
16 court of this state.

17 3. A member of a foreign limited liability company is not liable for any debts,
18 obligations or liabilities of the foreign limited liability company solely by reason of having
19 transacted business in this state without registration.

20 4. A foreign limited liability company, by transacting business in this state without
21 registration, shall be subject to the provisions of sections 506.500 to 506.520 with respect to
22 causes of actions arising out of the transaction of business in this state.

23 5. Without excluding other activities which may not constitute transacting business in
24 this state, a foreign limited liability company shall not be considered to be transacting
25 business in this state, for purposes of sections 347.010 to 347.187, by reason of carrying on in
26 this state any one or more of the following activities:

27 (1) Maintaining or defending any action or suit or any administrative or arbitration
28 proceeding, or effecting the settlement thereof or the settlement of claims or disputes;

29 (2) Holding meetings of its members or carrying on other activities concerning its
30 internal affairs;

31 (3) Maintaining bank accounts;

32 (4) Borrowing money or creating evidence of debt, mortgage or lien on or other
33 security interest in real or personal property;

34 (5) Securing or collecting debts or enforcing any rights in properties securing the
35 same;

36 (6) Transacting any business in interstate commerce; ~~[or]~~

37 (7) Conducting an isolated transaction completed within a period of thirty days and
38 not in the course of a number of repeated transactions of a like nature; or

39 **(8) Making a contribution, as that term is defined in section 130.011, to any**
40 **committee, as that term is defined in Article VIII, Section 23 of the Missouri**
41 **Constitution.**

42 6. A foreign corporation, as defined in section 351.015 or section 355.066, shall not
43 be deemed to be transacting business in this state for the purposes of section 351.572 solely
44 for the reason that it is a member of a limited liability company.

45 7. A foreign limited partnership or foreign registered limited liability limited
46 partnership, as defined in section 359.011, shall not be deemed to be transacting business in
47 this state for the purposes of section 359.551 solely for the reason that it is a member of a
48 limited liability company.

49 8. A foreign limited liability company as defined in sections 347.010 to 347.187 shall
50 not be deemed to be transacting business in this state for the purposes of this section, solely
51 for the reason that it is a member of a limited liability company.

52 9. A foreign registered limited liability partnership, as defined in section 358.020,
53 shall not be deemed to be transacting business in this state for the purposes of section 351.572
54 solely for the reason that it is a member of a limited liability company.

55 10. The provisions of this section do not apply in determining the context or activities
56 which may subject a foreign limited liability company to service of process, suit, taxation or
57 regulation under any other statute of this state.

✓